

REMARKS

Claims 36-39, 48, and 94 have been cancelled. Claim 103 is new. The claims remaining in the application are 1-35, 40-47, 49-93, and 95-103.

Claim Objections

Claims 1, 36, 54, and 66 have been objected to due to informalities. The informalities have been corrected via the present amendment.

Rejection Under 35 U.S.C. § 112

The Office Action has rejected claims 16, 37-39, 52, 57, 69, 83, and 90 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is respectfully traversed.

Claims 16, 52, 57, 69, 83, and 90 have been amended. Claims 37-39 have been cancelled.

Duplicate Claims

The Office Action has rejected claims 49 and 94 under 37 CFR 1.75 as being substantial duplicates of claims 48 and 93, respectively. Claims 48 and 94 have been cancelled.

Double Patenting

The Office Action has rejected claims 92-102 under 35 U.S.C. 101 as claiming the same invention as that of claims 44-46 and 108-114 of prior U.S. Patent No. 6,580,490. This rejection is respectfully traversed.

Submitted herewith is a Terminal Disclaimer for U.S. Patent No. 6,580,490.

Rejection Under 35 U.S.C. § 103

The Office Action has rejected claims 1-3, 6, 9-12, 14-36, 38-44, 47-51, 78-82, and 84-91 under 35 U.S.C. 103(a) as being unpatentable over Ramanujan et al. (U.S. 6,215,547) in view of Kataoka et al. (Pub. No. U.S. 2003/0085987). This rejection is respectfully traversed.

The Ramanujan et al. patent is assigned to the same assignee as the present invention and therefore is not a proper prior art reference against the present invention. Even if the Ramanujan et al. were a proper prior art reference combining Ramanujan et al. with Kataoka et al. would not provide the same device which functions in the same way as that claimed by the present invention.

Kataoka et al. discloses a device wherein the temperature is removed from elements of the apparatus. There is merely the removal of the heat generated by each component which is not done in a localized manner as in the present invention.

The present invention, in contrast to Kataoka et al., is best illustrated by referring the specifications starting at page 24, line 23 through page 25, line 20. In summary, some of the components of the present invention such as the spatial light modulator may have a spatial temperature gradient. In order for the device to function in an optimal manner the device must have localized temperature control. This is best done by using a multi-element temperature control as claimed in the claims of the present invention.

The Office Action has rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over Ramanujan et al. in view of Kataoka et al. as applied to claim 1 above, and further in view of Haven et al. (U.S. 6,739,723). This rejection is respectfully traversed.

The Office Action has rejected claims 5 and 37 under 35 U.S.C. 103(a) as being unpatentable over Ramanujan et al. in view of Kataoka et al., as applied to claim 1 above, and further in view of Okazaki (U.S. 4,978,970). This rejection is respectfully traversed.

The Office Action has rejected claims 7-8 and 13 under 35 U.S.C. 103(a) as being unpatentable over Ramanujan et al. in view of Kataoka et al., as applied to claim 1 above, and further in view of Pasch (U.S. 5,055,871). This rejection is respectfully traversed.

The Office Action has rejected claims 45-46 under 35 U.S.C. 103(a) as being unpatentable over Ramanujan et al. in view of Kataoka et al., as applied to claim 1 above, and further in view of Besinger et al. (U.S. 5,502,532). This rejection is respectfully traversed.

The Office Action has rejected claims 52-53 under 35 U.S.C. 103(a) as being unpatentable over Ramanujan et al. in view of Kataoka et al. as

applied to claim 1 above, and further in view of Hissaaki (U.S. 5,438,345). This rejection is respectfully traversed.

The Office Action has rejected claims 54-65 under 35 U.S.C. 103(a) as being unpatentable over Ramanujan et al. in view of Cubalchini (U.S. 3,858,046). This rejection is respectfully traversed.

In a similar manner, Cubalchini discloses a device for conducting heat away from components. See column 4, lines 10-15 of Cubalchini. He states that the cooling member conducts away any heat absorbed by the reflector. Thus, this reference does not provide localized cooling according to a temperature profile as in the present invention. Conversely, Cubalchini, even in combination with Ramanujan et al., does not show any indication where the temperature profile may be controlled by heating if necessary.

The Office Action has rejected claims 66-77 under 35 U.S.C. 103(a) as being unpatentable over Ramanujan et al. in view of Daimon et al. (Pub. No. U.S. 2003/0091924). This rejection is respectfully traversed.

The Daimon et al. reference cited by the Office Action once again shows only cooling and not in a temperature profile controlled manner. Referring to page 8, paragraph 0100, it is seen that after the media is heated by the heat roller and simultaneously pressed by the pressurizing roller it is cooled by a belt cooler. The reason for this in the Daimon et al. reference is to provide images with excellent surface smoothness. This is certainly different from the present invention which provides heating or cooling to ameliorate differences in the temperature profile of the spatial light modulator.

CONCLUSION

Dependent claims not specifically addressed add additional limitations to the independent claims, which have been distinguished from the prior art and are therefore also patentable.

In conclusion, none of the prior art cited by the Office Action discloses the limitations of the claims of the present invention, either individually or in combination. Therefore, it is believed that the claims are allowable.

If the Examiner is of the opinion that additional modifications to the claims are necessary to place the application in condition for allowance, he is

invited to contact Applicant's attorney at the number listed below for a telephone interview and Examiner's amendment.

Respectfully submitted,

A handwritten signature in black ink, enclosed in a simple oval border. The signature appears to read "N. Blish".

Attorney for Applicant(s)
Registration No. 29,134

Nelson A. Blish/tmp
Rochester, NY 14650
Telephone: 585-588-2720
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

Enclosure: Terminal Disclaimer